

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/707,956
Filing Date: January 28, 2004
Applicant(s): Gilbert J. Yablon
Title: Unified Method and Apparatus to Simplify
Telephone Area Code Dialing
Group Art Unit: 2614
Examiner: Thjuan Knowlin Addy
Date of Reply: May 5, 2009

REQUEST FOR CONTINUE EXAMINATION AND INFORMATION DISCLOSURE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Transmitted herewith please find a Request for Continued Examination (RCE) and an Information Disclosure Statement. With this filing, applicant hereby requests continued examination of this application.

The subject final office action was on January 6, 2009. Therefore, transmitted herewith, are fees totaling \$650, consisting of:

- \$405: Request for continued examination (RCE), 37 CFR 1.17(e)
- \$65: First month extension, 37 CFR 1.17(a)(1) - \$65
- \$180: Submission of Information Disclosure Statement, 37 CFR 1.17(p)

At this point, this case has boiled down to the question of whether applicant's provisional application US 60/047,747, filed May 28, 1997, from which the present application claims priority, provides proper support for applicant's pending claims under 35 USC §112. Applicant stands by the positions articulated in the after-final replies dated March 6, 2009 and March 31, 2009, that the provisional disclosure provides proper support. Examiner has not, to date, concurred.

This does bring this case to the point where an appeal can be filed, focused completely on 35 USC §112 issues without any prior art considerations. Before considering an appeal, however, applicant has run across several additional references, three of

which (Waldman, Jang and Venier) have filing dates preceding applicant's May 28, 1997 provisional filing.

While it is applicant's view that applicant's claims remain novel and non-obvious over Waldman, Jang and Venier, and that the remaining references disclosed here do not count as prior art because they were filed after applicant's May 28, 1997 provisional filing, applicant felt it important nonetheless to place these documents on the record for examiner's consideration.

Applicant hereby requests consideration by examiner of the references disclosed here, prior to formulating examiner's first non-final office action after this RCE filing.

Very truly yours,



Jay R. Yablon
Registration # 30604

CERTIFICATION OF EFS-Web TRANSMISSION UNDER 37 C.F.R. 1.8

Date of Transmission: May 5, 2009

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via EFS-Web on the aforementioned date of transmission, pursuant to 37 C.F.R. 1.8.

Name of Person signing this certificate: Jay R. Yablon

